

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 21-
v.	:	DATE FILED: _____
JENNIFER RIVERA,	:	VIOLATIONS:
a/k/a “Jennifer Tucci”	:	18 U.S.C. § 1343 (wire fraud – 3 counts)
	:	18 U.S.C. § 1028A (aggravated identity theft – 1 count)

INDICTMENT

COUNTS ONE THROUGH THREE

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

BACKGROUND

1. From on or about May 6, 2019 through on or about March 10, 2021, defendant JENNIFER RIVERA was employed by an environmental testing company headquartered in Reading, Pennsylvania (the “Company”) as Office Manager and Bookkeeper.
2. In her role as Office Manager and Bookkeeper, defendant JENNIFER RIVERA oversaw the Company’s finances on a day-to-day basis and was solely tasked with the responsibility of processing the Company’s Accounts Payable transactions by paying invoices issued by the Company’s vendors. Defendant RIVERA made these payments by accessing the Company’s online banking portal for its Small Business Checking account at Customers Bank and initiating ACH transfers from the Company’s account to the Company’s various vendors. Defendant RIVERA accessed the online banking portal using a unique user ID, password, and security token code, which the Company arranged for her to obtain.

THE SCHEME

3. From on or about September 11, 2019 through on or about March 10, 2021, defendant

**JENNIFER RIVERA,
a/k/a “Jennifer Tucci,”**

devised and intended to devise a scheme to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

4. Defendant JENNIFER RIVERA would first log into the Company’s Customers Bank online banking portal using her unique login credentials. She would then purport to initiate an ACH transfer from the Company’s Small Business Checking account to a known vendor of the Company; however, rather than directing the payment to the account number belonging to that legitimate vendor, defendant RIVERA would change the account number for the payment recipient to the account number corresponding to a checking account personally owned by defendant RIVERA.

5. In order to conceal the fraud, defendant JENNIFER RIVERA would create a fictitious entry in the Company’s accounting software that corresponded with the fraudulent ACH transfer. The entry would indicate that a vendor of the Company had issued an invoice(s) for payment in the amount of the fraudulent transfer. This fictitious entry caused the balance reflected in the Company’s accounting software to reconcile with the account balance in the Company’s Customers Bank account. To further avoid detection, defendant RIVERA used a number of different known vendor names (and fabricated vendor invoice numbers) over the

backdated invoice and bill payment stub, to corroborate the false representation that she had issued a bill to the Company for accounting services in the amount of the fraudulent ACH transfer.

10. On or about each of the dates set forth below, in Reading, in the Eastern District of Pennsylvania, defendant

**JENNIFER RIVERA,
a/k/a "Jennifer Tucci,"**

for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count of wire fraud:

COUNT	DATE	DESCRIPTION
1	September 11, 2019	\$1,506.35 ACH transfer to Wells Fargo Everyday Checking account ending -9603, in the name of JENNIFER M. TUCCI
2	February 3, 2021	\$5,980.00 ACH transfer to Santander Simply Right Checking account ending -5587, in the name of JENNIFER MARIE RIVERA
3	February 12, 2021	\$6,882.54 ACH transfer to M&T EZChoice Checking account ending -9786, in the name of JENNIFER RIVERA

All in violation of Title 18, United States Code, Section 1343.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations contained in paragraphs 1 and 2 of Counts One through Three are incorporated herein.

2 On or about February 3, 2021, in Reading, in the Eastern District of Pennsylvania, defendant

**JENNIFER RIVERA,
a/k/a “Jennifer Tucci,”**

knowingly and without lawful authority possessed and used a means of identification of another person, that is, B.C.’s unique user ID, password, and security token code for the Company’s Customers Bank Small Business Checking account, to initiate a \$5,980.00 ACH transfer to a checking account personally owned by defendant RIVERA, during and in relation to wire fraud as charged in Counts One through Three.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343, set forth in this Indictment, defendant

**JENNIFER RIVERA,
a/k/a “Jennifer Tucci,”**

shall forfeit to the United States of America any property, real or personal, that constitutes, or is derived from, proceeds traceable to the commission of such offenses, including, but not limited to, the sum of \$127,965.92.

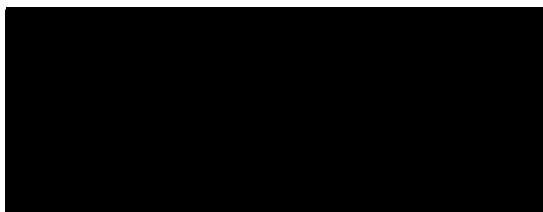
2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).

A TRUE BILL:



Ronald Barack for

**JENNIFER ARBITTIER WILLIAMS
ACTING UNITED STATES ATTORNEY**

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

**JENNIFER RIVERA,
a/k/a "Jennifer Tucci"**

INDICTMENT

Counts

18 U.S.C. § 1343 (wire fraud – 3 counts), 18 U.S.C. § 1028A (aggravated identity theft – 1 count)

Filed in open court this _____ day,
Of Sept A.D. 20 21

Clerk

Bail, \$ _____